

THE INDIAN CHIEFTAIN.

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A GRAND SUCCESS!

Everybody Satisfied. Hundreds of the People of this vicinity have availed themselves of the opportunity I am now offering, and have bought their winter supplies while they could get them at such low prices.

NOW IS YOUR TIME The Auction Sale Still Continues for Two Days. Don't Miss It.

Merchandise of all kinds are going at prices that will astonish you. Come and see. You can't help but buy. When the Fair is over each day come straight to my store. You can buy BOOTS, SHOES AND CLOTHING at half what other Merchants will ask you.

BAND CONCERT!

Free for all to-night at my store. Everybody come and hear some fine music while the Big Auction Sale goes on.

VINITA, I. T.

W. R. BADGETT.

People's Meat Market

→EAST OF TRACK←

J. H. BAILEY, Proprietor.

Fresh and Salt Meats,
Sausage, Poultry,
Lard and Everything to

Tempt the Appetite.

Leave your Laundry

with

NUCK BERRY,

HOTEL COBB,

VINITA, - - - IND. TER.

Agent for D. H. Hollister,

Parsons Steam Laundry.

Work returned promptly and guaranteed to be the best.

Boss Bluejacket,

East of Track,

Groceries,
Provisions,
Queensware,
Dry Goods,
Men's Clothing

Good Goods,

Pleasing Prices.

Try me on for a square deal.

O. K. Meat Market

J. J. COYNE.

Fresh Beef, Pork, Mutton, Barbecued Meat, Bacon, Lard, Bologna, and everything a first-class market should contain.

Fresh Bread Daily.

Highest Price Paid for Hides.

We Build....

Houses Right

As to Price

As to Workmanship.

All kinds of Houses

All kinds of Material

Refer to Methodist Church and Parsonage.

Davison & Wheat, Vinita, I. T.

THE LATE ENACTMENTS.

As Approved by the Principal Chief and Which are Now Law.

An Act to pay certain intruders the value of their improvements, as appraised pursuant to an agreement between the United States and the Cherokee nation.

Sec. 1.—Be it enacted by the National Council that the treasurer of the Cherokee nation, be, and he is, hereby authorized and directed for and on behalf of the Cherokee nation to pay or to tender payment in lawful money of the United States to each of the persons, intruders upon the domain of the Cherokee nation, whose improvements have been appraised by Joshua Hutchins, Peter H. Pernot and Clem V. Rogers, pursuant to an agreement between the Cherokee nation and the United States, the amount of such appraisement, according to the schedule of such appraisements made and reported by them as modified and approved and now on file in the Cherokee executive department.

Sec. 2.—The said treasurer shall be paid for such extra services \$3.50 per day and be authorized to appoint one assistant in the work, whose compensation shall be \$3.50 per day, and ten guards, whose pay per diem for their service shall be \$1.50. The said treasurer is directed to begin, continue and finish the duties imposed upon him by this act as promptly and speedily as shall be practicable, and to make report thereof to the principal chief for his information and that of the national council by or before the second week in November, 1895.

Sec. 3.—Should the tender be accepted the treasurer shall take a receipt from the person paid, which shall be substantially in the following form:

Received from E. E. Starr, treasurer of the Cherokee nation, on this day of _____, 1895, the sum of _____ dollars and _____ cents, lawful money of the United States, in payment for improvements in my possession in the Cherokee nation.

[Signed] _____

Witness:

Should any tender be declined, the said treasurer shall if practicable, procure from the person declining the same a certificate of acknowledgment to that effect, couched substantially in the words following:

I certify (or acknowledge) that on this, the day of _____, 1895, E. E. Starr, treasurer of the Cherokee nation, did tender for my acceptance the sum of _____ dollars and _____ cents, lawful money of the United States, as the appraised value of improvements in my possession in the Cherokee nation.

[Signed] _____

Witness:

Sec. 4.—The said treasurer is authorized to supply himself with such blank forms as in his judgment may be required, and when any blank is filled out for use as evidence it shall be in duplicate.

Sec. 5.—Should any person to who tender shall be made under this act refuse the amount tendered, and refuse also to make written acknowledgment of such tender the said treasurer shall make such record of the refusal in each case, duly and sufficiently attested at the time, as will operate to discharge the Cherokee nation of its obligations in the premises and furnish satisfactory evidence thereof to all concerned.

Sec. 6.—In performing the service required by this act and making report thereof, the national treasurer is generally authorized and directed to pursue such methods, and to adopt such means and forms as will furnish valid proof of the due and full performance by the Cherokee nation, of its obligations in the premises in each case; and in connection with the report of each payment, or tender of payment, made pursuant to this act, the national treasurer shall also report the actual or estimated size of the appraised improvements, description and location of same, and such other facts and circumstances as may in his judgment be of service to enable the Cherokee nation to identify and describe the improvements when disposed of.

Sec. 7.—Be it further enacted, That the sum of \$63,645.36 be, and the same is hereby appropriated out of that portion of the proceeds of the Cherokee Strip which has been set apart to pay for intruders' improvements, to enable the national treasurer to make the payments required by this act; and that the further sum of \$2500 or so much thereof as may be necessary, is hereby appropriated out of same fund, so set apart, to pay all expenses that shall be incurred in carrying out the requirements of this act; and the Principal Chief is authorized to draw warrants accordingly in favor of the persons rendering service under this act upon the certificates of such service issued by the national treasurer shall immediately publish a notice in four or more newspapers published in the Cherokee nation, to the effect that the payments authorized by this act are about to be made, and shall also notify personally by mail or otherwise, each person to whom tender of payment is to be made under this act, that such payment will be made to such person, on or about the day or time to be designated by the treasurer in the notification.

Sec. 8.—Be it further enacted, That as soon as the principal chief shall be informed by the national treasurer that the payments authorized by this act have been completed, the principal chief is directed to notify the government of the United States that the obligations of the Cherokee nation in the premises have been fulfilled, and to apply for the removal of all intruders as promptly as may be practicable after January 1, 1896.

Sec. 9.—Be it further enacted, That the said national treasurer, and he is, hereby authorized, before entering upon his duties under this act to file in the executive department a bond to the Cherokee nation in the sum of \$68,000 with sureties satisfactory to the principal chief, conditioned upon the faithful discharge of his duties as required by this act.

Approved Sept. 20, 1895.

THE ATTORNEY BILL.

An Act providing for an attorney and for other purposes.

Be it enacted by the national council, That E. C. Boudinot be, and he is hereby appointed special attorney of the Cherokee nation and authorized to be commissioned by the principal chief, with full powers, under instructions and authority hereinafter given, to represent the Cherokee nation in suit or case of Moses Whitmore, trustee of the Cherokee Freedmen, vs. the Cherokee nation and the United States, decided by the United States court of claims, March 4 and 18, and May 8, 1895. The said attorney is authorized and instructed to proceed immediately to Washington City and obtain the advice and opinion of an able and competent attorney or attorneys in regard to the feasibility, expediency and advantage to the Cherokee nation of appealing the said suit to the United States supreme court or of obtaining a rehearing thereof. Should such advice and opinion be in favor of a further prosecution of said suit, the said attorney shall be and is hereby authorized to make a contract for and on behalf of the Cherokee nation with one or more competent practicing attorneys, learned in the law, for his or her services until a final judgment shall be rendered in said case. Such contract to be approved by the principal chief before going into effect, for which purpose the principal chief is authorized to accompany the said attorney to Washington City.

The said attorney is further instructed, should the said cause be further prosecuted as provided, to aid the attorney or attorneys, who shall be employed as provided, by consulting with and furnishing to them such information as they desire or may be required on the conduct of such case; for which purpose he is authorized to remain in Washington City, when his presence shall be necessary during the progress of the trial of the suit until final judgment shall be had. The attorneys representing the Cherokee nation are instructed to use all possible and proper means and endeavors to obtain such final judgment and decision at the earliest date practicable.

Be it further enacted, That the sum of \$5,000 or so much thereof as shall be necessary is hereby appropriated out of the residue of the money set apart for the payment of intruders for their improvements, to pay for the advice and opinion as authorized above, to be obtained, and for the services of the attorney or attorneys who shall be employed to represent the

Cherokee nation in said suit when such service has been rendered.

Be it further enacted, That the said attorneys appointed by this act shall receive for his services and expenses, as herein defined, the sum of \$1,000. The necessary expenses incurred by the principal chief in going to and returning from Washington city shall also be paid. The sum of \$1,000 is hereby appropriated out of the fund set apart to pay for intruders' improvements to pay for the services and expenses of said attorney and additional sum of \$250 is appropriated out of the same fund to pay the principal chief, as above provided to be incurred. And the principal chief is hereby authorized to draw warrants in accordance with the appropriations made above. The sums severally appropriated by this act, out of the fund set apart for the payment of the intruders for their improvements shall be reimbursed and returned to said fund out of the first money coming into the hands of the national treasurer to be applied for general purposes.

WALLACE ROLL BILL.

An Act providing for the taking of testimony and for other purposes.

Be it enacted by the national council, That the principal chief be, and he is hereby authorized to appoint and commission three suitable and competent persons, whose duty it shall be to obtain as speedily as possible from persons living in the Cherokee nation such depositions, affidavits or written statements, under oath, as will serve and suffice, in the judgment of the principal chief, to substantiate or invalidate, as the case may be, the so-called Wallace roll of Cherokee freedmen, as a true, correct and reliable showing of the number of freedmen who were entitled to and were exercising the rights to Cherokee citizenship under the 9th article of the treaty of 1866, at the time said roll was made. The persons so appointed shall complete their labors as herein defined within two weeks from and after date of the approval of this act, and they shall embrace in their report a statement of such facts, material to the matter investigated, as shall come to the knowledge of either of them, but which, for want of time, they may be unable to present in the form prescribed.

In order to expedite the work, each of the persons to be appointed shall either be a notary public, or shall be accompanied by a notary public, or be a district clerk of the district wherein the deposition is being taken, with his official seal; and the principal chief is authorized to give orders to the district clerks accordingly, whenever necessary.

The persons so appointed, and notaries public and district clerks when accompanying and assisting such persons, shall each receive as compensation for their special services the sum of \$3.50 per day upon their certificates approved by the principal chief, who is authorized to draw warrants accordingly;

for which purpose the sum of \$150 or so much thereof as may be necessary, is hereby appropriated out of the amount set aside to pay for intruders' improvements.

Be it further enacted, That in all matters and things, not herein specified, pertaining to the taking of evidence authorized by this act, and the form, object, disposition and report thereof, and matters relating thereto, the persons above provided to be appointed to supervise or perform the work, shall be guided and governed by the orders, directions and instructions of the principal chief.

INDIAN AFFAIRS.

Extract From Annual Report of Agent D. M. Wisnom.

INTRUDERS.

In my last report I expressed the opinion that the decision of the Interior department in the case of John O. Cobb, et al, had simplified the question of citizenship, and had settled the status of a large number of persons hitherto held as rejected claimants. This decision has been followed up by a similar one in the "Watts" case and its determination has done much to re-assure Cherokees that the government means to enforce its treaty obligations and agreements, and in due time unload that nation of a class of intruders who have menaced its sovereignty for a long period of years, since there is no doubt that the government, by its inaction, has fostered an element whose presence has been productive of strife, internal feuds, and a personal friction that has marred the usual peaceful routine of the affairs between citizens and non-citizens of this agency. I am not sure that the matter demands further attention at my hands—either in the way of recommendations or suggestions. I think, however, it is due to candor to say that in my opinion the removal of rejected claimants to citizenship is a matter that can be accomplished by the intervention of the military without much expense or the shedding of one drop of blood. The majority of these intruders live near the Kansas and Arkansas lines, and I do not think it would be either cruel or unjust to them to move them within the boundaries of said states and out of this territory. It would put them out of a so-called semi-barbaric country into a land of milk and honey, schools and churches, where progress is the watch-word and where every man can acquire a home who is willing to work, enjoy the boom of holding in severalty, and worship God under his own "vine and fig tree." It may be that in the course of human events, a political Moses will be found to take these people to this land of promise.

I think the sum of five thousand dollars, judiciously expended would rid the Cherokee nation of intruders, and I recommend that an appropriation of that sum, by

congress, be made for that purpose. I know that it is argued that allotment of lands in severalty would bring about a settlement of the intruder question because lands would only be allotted to Cherokees by blood, and therefore, each allottee could apply to the courts and get an ejectment writ against a declared intruder or a rejected claimant and, in this way the intruder or trespasser upon Indian soil would be eliminated from the body politic. This view of the case seems to me to be fallacious as well as indirect, and as likely to involve the rightful owner in litigation. His allotment would come to him loaded with a law suit and his ultimate right must be asserted in the court house. This means, delay, vexation and expense. The direct, honest mode

it seems to me—is to remove the intruder bodily and let the Indian take his heritage for which he has paid the full measure of his value—sometimes in blood and sometimes in money, but often in both, without let, incumbrance, or delay. The United States, in my opinion, should assert the power and dignity of a great nation by direct methods, and not let the weaker Indian be compelled to contend in the courts for a right which belongs to him free and untrammelled. Again, I am satisfied that the intruders or rejected claimants do not mean to surrender their alleged rights, which have been decided as untenable by the Interior department, without a struggle. Indeed, there is already a movement on foot in certain districts of the Cherokee nation, by which the said claimants propose to organize a nation inside of the Cherokee nation to be known as the "Cherokee Inhabitant Nation," basing their claims upon certain clauses of the treaty of 1866 made between the Cherokee nation and the United States. All acknowledged citizens of the Cherokee nation and all persons who can substantially prove themselves entitled by blood or adoption, by marriage or otherwise, may become citizens of this new government. After their organization they propose to ask the Government of the United States to protect them, and to hold themselves amenable only to the laws of the United States, and to grow up as a new nation under the shadow of the Cherokee nation whose laws they do not propose to respect but will openly defy. A meeting of this kind was held at Vinita, Indian Territory, on the 12th ultimo.

Represented constituents animated by the above purpose, and so long as they have a foot-hold—a residence, legal or not in the Indian country, they will be disturbers of the peace and promoters of discord; and while they cry aloud and spare not, for allotment and statehood, they are but stumbling blocks and obstacles to that mutual good will and fraternal feeling which must be cultivated and secured before allotment is practicable and statehood is desirable.

Despite the complex condition of affairs of this agency, the inevitable clash between opposing elements of society, the lack of full jurisdiction in our courts, the uncertainty in our land tenure, and that uneasiness under salutary restraint which now and then erupts into outlawry and swells the criminal calendar, the five tribes show a considerable advance in prosperity and also an increase in numbers. They have erected new, and in many instances, costly residences, and have enlarged their farms and have redeemed their waste places from their primitive condition and made them smile with the badges of industry and peace. By some this fact is used as an argument why the territory should be admitted to statehood; by others it is contended that it proves that the Indian is capable of self government and can stand alone in the direction of his own affairs. Viewed either way a settlement, at no distant day, a settlement of the vexed Indian problem. The practice of intermarriage between whites and Indians is also a steady factor in changing the racial status of our people. Indeed, Joel B. Mayes, once a great Chief of the Cherokees, said to the writer: "Let the boys and girls alone. In the next twenty years they will settle the Indian question in my tribe according to the old rule" (as he said) "under which Abraham begat Isaac and Isaac begat Jacob, and so on down through the generations of men."

The writer interposed no objections to the fulfillment of Uncle Joel's prophecy. At any rate, taking into consideration the abundant crops with which providence has blessed this country during the past year, the outlook for the future welfare of the five tribes is promising and reassuring, and there is nothing in the situation to disturb the dream of the sentimentalists or to precipitate radical measures of relief by political charlatans. It must be remembered that change is not always reform," and President Cleveland has well said, "a slow movement towards American citizenship, fully understood and approved by the Indians, is infinitely better than swifter results gained by broken pledges and false promises."

Finally allow me to express my thanks to the Indian bureau for courtesies extended me in the discharge of my duties during the past year, and to assure it that I appreciate its able co-operation and supervision in managing the affairs of the agency. I foresee troubles and perplexities ahead of me in the near future, but I shall endeavor to meet them to the best of my ability, and trust that no act of mine will bring discredit to the Indian service.

Respectfully submitted,

D. M. Wisnom,

U. S. Indian Agent.